

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6255

BILL NUMBER: HB 1118

NOTE PREPARED: Feb 24, 2009

BILL AMENDED: Feb 19, 2009

SUBJECT: Partition Fences.

FIRST AUTHOR: Rep. Dodge

FIRST SPONSOR: Sen. Stutzman

BILL STATUS: As Passed House

FUNDS AFFECTED: X **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that the partition fence law does not apply to a fence that separates two adjoining parcels of land if one of the parcels is owned by the state or a political subdivision of the state.

Effective Date: July 1, 2009.

Explanation of State Expenditures: (Revised) Because the bill specifies that the state would not be subject to the requirements for repairing, maintaining, and paying for a partition fence, the state would not be responsible for expenses associated with maintaining partition fences.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Because political subdivisions would not be subject to the requirements for repairing, maintaining, and paying for a partition fence, political subdivisions would not be responsible for expenses associated with maintaining partition fences.

Under existing law, if the fence is on the township line and the township trustee pays for work on the fence for which a property owner is liable, the trustee can be reimbursed from the county. The bill eliminates the provisions that provide for reimbursement from the county.

Explanation of Local Revenues:

State Agencies Affected: All.

Local Agencies Affected: Political subdivisions.

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.